1	Mark A. Serlin, CSBN: 122155			
2	SERLIN & WHITEFORD, LLP 700 E Street			
3	Sacramento, CA 95814 Telephone: (916) 446-0790			
4	Facsimile: (916) 446-0791 Email: mserlin@globelaw.com			
5	Attorneys for Appellees			
6	CRYSTAL LEI and BRYANT FU			
7				
8	UNITED STATES DISTRICT COURT			
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
LO				
L1	DEMAS YAN,	) CASE NO. 3:11-ev-01814-RS		
L2	Appellant,			
L3	VS.	) APPLICATION FOR ORDER FOR ) APPEARANCE AND EXAMINATION		
L 4	TONY FU, CRYSTAL LEI, WEI SUEN,			
L5	BRYANT FU, and STELLA HONG CHEN,			
L 6	Appellees.			
L7		)		
L8	Appellee/judgment creditor Crystal Lei ("Lei") hereby applies for an order for examination			
L9	of appellant/judgment debtor Demas Yan ("Yan") to enforce the judgment/attorneys' fees order			
20	entered in favor of Lei against Yan on April 24, 2014 in the amount of \$35,004.71. A true and			
21	correct copy of the abstract of judgment issued by the Court on March 11, 2016 in this matter is			
22	attached hereto as <u>Exhibit A</u> . Attached hereto as <u>Exhibit B</u> is a proposed order for examination of			
23	Yan. Lei wishes to perform the examination during the last week of June, 2017 and requests the			
24	Court set the examination for a date in late June, 2017.			
25	DATED: May 5, 2017	SERLIN & WHITEFORD, LLP		
26				
27		By: /s/ Mark A. Serlin MARK A. SERLIN, Attorneys for Appellees		
28		CRYSTAL LEI and BRYANT FU		
	APPLICATION FOR ORDER FOR 1	Yan v. Fu, et al.		
	APPEARANCE AND EXAMINATION	Case No. 3:11-cv-01814-RS		

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Case 3:11-cv-01814-RS Document 37 Filed 03/11/16 Page 1 of 2

EJ-00'

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	ONE NUMBER					
☐ Recording requested by and return to:	15, 224, 0060					
Crystal Lei (415) 221 - 0969 337-28 <sup>th</sup> Avenue						
San Francisco, CA 94121						
À	GNEE OF RECORD					
NAME OF COURT: U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA						
STREET ADDRESS: 450 Golden Gate Avenue						
MAILING ADDRESS:						
CITY, STATE, ZIP: San Francisco, CA 94102 PHONE NUMBER: (415) 522 - 2000	FOR RECORDER'S USE ONLY					
PLAINTIFF: Demas Wai Yan						
DEFENDANT: Crystal Lei, et al.						
ABSTRACT OF JUDGEMENT   Amen	ided CASE NUMBER: 3:11-cv-01814-RS					
ABSTRACT OF JUDGEMENT LI AMen	UCU SASE NOVELLA. S. F. F. S. F. F. S. F. F. S. F. F. S. F. F. S. F. F.					
<ol> <li>The  judgment creditor □ assigne applies for an abstract of judgment and represents the following:</li> <li>a. Judgment debtor's</li> </ol>	ee of record FOR COURT USE ONLY					
Name and last known address						
Demas Wai Yan 1433 7 <sup>th</sup> Avenue	,					
San Francisco, CA 94122						
b. Driver's license # and state:	<b>X</b> Unknown					
c. Social Security #:						
<li>d. Summons or notice of entry of sister-state judgment was permailed to (name and address): Demas Wai Yan, 1433 7th Ave 94122</li>	sonally served or nue, S.F. CA					
e.  Original abstract recorded in this county:	f. Information on additional judgment debtors is shown on page two.					
(a) Date:						
(b) Instrument #:						
Date: 3/9/2016 Crystal Lei	· Cy					
(TYPE OR PRINT NAME)	(SIGNATURE OF APPLICANT OR ATTORNEY)					
a. XI certify that the following is a true and correct abstract of	<ol> <li>Total amount of judgment as entered or last renewed: \$35,004.71</li> </ol>					
the judgment entered in this action. b. □ A certified copy of the judgment is attached.	7. ☐ An ☐ execution lien ☐ attachment lien					
3. Judgment creditor (name and	is endorsed on the judgment as follows: a. □ Amount \$:					
address): Crystal Lei 337-28 <sup>th</sup> Avenue, San Francisco, CA 94121	b. ☐ In favor of (name and address):					
4. Judgment debtor (full name as it appears in judgment): Demas Wai Yan	8. A stay of enforcement has:					
5. a. June 24, 2014 Judgment entered on (date):	a. In not been ordered by the court					
b. Renewal entered on (date):	b. $\square$ been ordered by the court effective until (date):					
	9. ☐ This judgment is an installment judgment.					
Form Adopted for Mandatory Use ABSTRACT OF JU	JDGMENT Page 1 of 2					

Form Adopted for Mandatory Use Judicial Council of California EJ-001 [Rev. January 1, 2003] ABSTRACT OF JUDGMENT (CIVIL)

Page 1 of 2 Code of Civil Procedure, §§ 488.480 674, 700.190

American LegalNet, Inc. www.USCourtForms.com

## Case 3:11-cv-01814-RS Document 40 Filed 05/05/17 Page 3 of 5

Case 3:11-cv-01814-RS Document 37 LERRY 0.3:11/16 Page 2 of 2 450 GOLDEN GATE AVE., BOX 36060 [SEAL] This abstract issued on (date): SAN FRANCISCO, CA 94102 MAR 1 1 2016 **GINA AGUSTINE** SUSAN Y, SOONG Deputy Case #: PLAINTIFF: Demas Wai Yan 3:11-cv-01814 DEFENDANT: Crystal Lei, et al INFORMATION ON ADDITIONAL JUDGMENT DEBTORS 14. Name and last known address 10. Name and last known address Driver's license # and state: ☐ Unknown Driver's license # and state: ☐ Unknown Social Security #: ☐ Unknown Social Security #: ☐ Unknown Summons was personally served at or mailed to (address): Summons was personally served at or mailed to (address): 11. Name and last known address 15. Name and last known address Driver's license # and state: ☐ Unknown □ Unknown Driver's license # and state: ☐ Unknown Social Security #: ☐ Unknown Social Security #: Summons was personally served at or mailed to (address): Summons was personally served at or mailed to (address): 16. Name and last known address 12. Name and last known address Driver's license # and state: ☐ Unknown Driver's license # and state: ☐ Unknown ☐ Unknown Social Security #: ☐ Unknown Social Security #: Summons was personally served at or mailed to (address): Summons was personally served at or mailed to (address): 13. Name and last known address 17. Name and last known address ☐ Unknown Driver's license # and state: ☐ Unknown Driver's license # and state: ☐ Unknown Social Security #: □ Unknown Social Security #: Summons was personally served at or mailed to (address): Summons was personally served at or mailed to (address):

18. 
Continued on Attachment 18.

2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a. x furnish information to aid in enforcement of a money judgment against you. b. answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor. c. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date:  Time: Dept. or Div.: Rm.:  Address of court x is shown above is:  3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  Date:  This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. x Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is a. x the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  This court is not the court in which the money judgment is entered or (attachment only) the fourt the vissued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 49.1.150 of 708.160 is attached.  The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.			AT-138/EJ-125				
SERVAMENS (SERLIN & WHITEFORD, LILP SINENAMENS (1916) 446-0790  ***AND (1916) 446-0791  ***AND (1916)	ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NO.: 122155	FOR COURT USE ONLY				
STATE ADDRESS 700 S Street  OTTO SECTEMENT OF 16 14 46 - 079 FANNO: (916) 446 - 0791  EMBALADRESS REPLIATED (100 FANNO: (916) 446 - 0791  EMBALADRESS REPLIATED (100 FANNO: (916) 446 - 0791  EMBALADRESS REPLIATED (100 FANNO: (916) 446 - 0791  MINTED STATE SOUTHING COUNT  STREET ADDRESS 450 SOLICIE GATE A AVENUE  OTTA DOZD COST SAIN FRANCISCO, CA 94 102  SEWANHAMAN MOTHER DISTRICT COUNT  THE PROPER SHAPE  PLANTIFF DEMAS YAN  DEFENDANT TONY F3, ct al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  X ENFORCEMENT OF JUDGMENT  Third Person  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a X uniform information to ad in enforcement of a money judgment adjust you.  b							
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EMM_ADRESS MES = 11ng globe_aw_com ATRIORS FOR EMANUAL DISTRICT COURT STRETANDERS SATE STREET COURT MARINA ADDRESS SATE FRANCES CO, CA 94102 BRANCE-WAMP NOrthern District of California  PLANTIFF Demas Yan  DEFENDANT Tony F1, et al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  EMPROCEMENT OF JUDGMENT ATTACHMENT (Third Person)  Judgment Debtor  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan:  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan:  YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a. IX furnish information to aid in enforcement of a money judgment against you.  b. Janswer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  c. Janswer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date:  This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR SEA  APPLICATION FOR ORDER TO APPEAR PER EXAMINATION  4. X. Original judgment creditor Assigned of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan:  Application for ORDER TO APPEAR PER EXAMINATION  4. X. Original judgment creditor Assigned of record Plaintiff who has a night to attach order applies for an order requiring (name): Demas Yan:  APPLICATION FOR ORDER TO APPEAR PER EXAMINATION  4. X. Original judgment creditor Assigned of record Plaintiff who has a night to attach order applies for an order requiring (name): Demas Yan:  APPLICATION FOR ORDER TO APPEAR PER EXAMINATION  4. X. Original judgment creditor Assigned of record Plaintiff who has a night to attach order applies for an order requiring (name): Demas Yan:  APPLICATION FOR ORDER TO APPEAR PER EXAMINATION  4. X. Original judgment creditor Plaintiff who has possession or control of property belonging to the judgment							
UNITED STATES DISTRICT COURT  FREST ACCROSES 450 Golden Gate Avenue  MANIGA CRESS 450 Golden Gate Avenue  OFFANDADE STATE COURT  FREST ACCROSES 450 GOLDEN GATE AVENUE  MANIGA CRESS 450 GOLDEN GATE AVENUE  FRANCISCO CAS 941.02  FROM TO TOTY FIL, et al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  EMPROCEMENT OF JUDGMENT  ATTACHMENT (Third Person)  IX Judgment Debtor  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Destas Yan  2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to  a. ∑ furnish information to aid in enforcement of a money judgment against you.  b. ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  □ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Time: Dept. or Div.: Rm.:  Address of court ∑ is shown above ☐ is:  3. This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. ∑ Original judgment creditor ☐ Assignee of record ☐ Plaintliff who has a right to attach order applies for an order requiring (name): Demiss. Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is a ∑ the judgment debtor or the defendant more than \$250. An affidavt supporting this application under the process passes in the country of the process possession or control of property belonging to the judgment debtor or the defendant more than \$250. An affidavt supporting this application under the defendant of (2) who owes the judgment debtor.  5. The person to be examined recisies or has a place of business in this county or within 150 miles of his places of examination.  6. The person to be examined recisies or has a place of business in this county or within 150 miles of his pl		FAX NO.: (916) 446-0791					
SINGET ADDRESS 450 Golden Gate Avenue  OTHORS DECORE SAIL FERRICISCO, CA 94102  BENNICHAMER TOTHORN DISTRICT OF CALIFORNIA  PLANTIFF Demas Yan  DEFENDANT TONY FU, et al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  X ENFORCEMENT OF JUDGMENT ATTACHMENT (Third Person) 3:11-cv-01814-RS  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a. X (unrish information to aid in enforcement of a money judgment against you.  b. A answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  c. Address of court is shown above is:  Date: Time: Dept. or Div.: Rm:  Address of court is shown above is:  3. This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. Original judgment celebror.  A sasignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Dethas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  The person to be examined is a. X the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  I This out is not the court in which the money judgment is entered or (attachment only) the post that supporting an application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  7. This court is not the court in which the money judgment is entered or (attachment only) the post this was	<del>-</del>						
MINIMADDRESS 450 Golden Gate Avenue  PLANTIFF Demas Yan  DEFENDANT Tony Fu, et al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  ENFORCEMENT OF JUDGMENT ATTACHMENT (Third Person)  Judgment Debtor Third Person 3:11-cv-01814-RS  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a. x furnish information to aid in enforcement of a money judgment against you.  b. answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  c. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date: Time: Dept. or Div.: Rm.:  Address of court x is shown above is:  3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  Date:  This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. X Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan: to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is a X in the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.10 or 708.120 is attached.  6. The person to be examined relation supporting an application under Code of Civil Procedure section 491.10 or 708.120 is attached.  7. This court is not the court in which the money judgment is entered or (attachment only) the soly they is best defendent in the court in which the money judgment is entered or (attachment only) the soly they is suitached.  8. The judgment debtor as been examined within the past 120 days. An affidavi							
PLAINTIFF Demas Yan  DEFENDANT TONY Fu, et al.  APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION  ENFORCEMENT OF JUDGMENT ATTACHMENT (Third Person)  Third Person 3:11-cv-01814-RS  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a. X. furnish information to aid in enforcement of a money judgment against you.  b answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  c answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant this subject to attachment.  Date: Time: Dept. or Div.: Rm.:  Address of court Is shown above is:  3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  Date: Time: Dept. or Div.: Rm.:  Address of court Is shown above is:  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4 Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined debtor or the defendant more than \$250. An affidavit supporting this application unper Code of Civil Procedure section 49, 110 or 708, 120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the plags of examination.  7 This court is not the court in which the money judgment is entered or (attachment only) the fogint person (attachment only) the fogint section 49, 150 or 810s. 8tatched.  6. The person to be examined							
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APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION    ENFORCEMENT OF JUDGMENT	BRANCH NAME: Northern District o	f California					
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION    ENFORCEMENT OF JUDGMENT	PLAINTIFF Demas Yan						
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION    ENFORCEMENT OF JUDGMENT	DEFENDANT Tony Fu, et al.						
ATTACHMENT (Third Person)    X   Judgment Debtor	-						
ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demas Yan  2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a.			CASE NUMBER:				
ORDER TO APPEAR FOR EXAMINATION  1. TO (name): Demais Yain  YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to  a.			3:11-cv-01814-RS				
1. TO (name): Demas Yan 2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to 3.							
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to a.	_	MOLK TO AFFEAR FOR EXAMINATION					
b. answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.  c. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date: Time: Dept. or Div.: Rm.:  Address of court is is shown above is:  3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  Date:  This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is  a. If the judgment debtor.  b. a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  7. This court is not the court in which the money judgment is entered or (attachment only) the folying the first the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 of 1708.160 is attached.  8. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.  9. In this court is not the court in which the money judgment in the foregoing is true and correct.  1. Date: May Y., 2017  Mark A. Serlin  (Continued on reverse)  Page 1 of 2  Page 1 of 2  Page 1 of 2  Page 1 of 2	2. YOU ARE ORDERED TO APPEAR persona		pinted by the court, to				
judgment debtor.  c. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date: Time: Dept. or Div.: Rm.:  Address of court is is shown above is:  3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):  Date:  This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4. Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is  a. in the judgment debtor.  b. a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of his place of examination.  7. This court is not the court in which the money judgment is entered or (attachment only) the copirt they issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491 150 at 708.160 is attached.  8. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.  1 declare under penalty of perjury under the laws of the State of California that the foregoing is true, and correct.  Mark A. Serlin  (Continued on reverse)  Page 1 of 2  Page 1 of 2		,, ,					
C. answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.  Date:		judgment debtor in your possession or contro	of concerning a debt you owe the				
that is subject to attachment.  Date:		defendant in your possession or control or co	oncerning a debt you owe the defendant				
Address of court							
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This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.							
This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.  \( \subseteq \text{ Original judgment creditor} \) Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is  a.  \( \subseteq \text{ the judgment debtor}. \)  b.  \( \subseteq \text{ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  7.  \( \text{ This court is not the court in which the money judgment is entered or (attachment only) the fourt that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 49.1 f50 or 708.160 is attached.  8.  \( \text{ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.  1 declare under penalty of perjury under the laws of the State of California that the foregoing is true and corriect.  Date: May  \( \text{ 2017} \)  Mark A. Serlin  (Continued on reverse)  Page 1 of 2	3. This order may be served by a sheriff, marshal, registered process server, <b>or</b> the following specially appointed person <i>(name)</i> :						
This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.  \( \subseteq \text{ Original judgment creditor} \) Assignee of record Plaintiff who has a right to attach order applies for an order requiring (name): Demas Yan to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5. The person to be examined is  a.  \( \subseteq \text{ the judgment debtor}. \)  b.  \( \subseteq \text{ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.  7.  \( \text{ This court is not the court in which the money judgment is entered or (attachment only) the fourt that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 49.1 f50 or 708.160 is attached.  8.  \( \text{ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.  1 declare under penalty of perjury under the laws of the State of California that the foregoing is true and corriect.  Date: May  \( \text{ 2017} \)  Mark A. Serlin  (Continued on reverse)  Page 1 of 2							
This order must be served not less than 10 days before the date set for the examination.  IMPORTANT NOTICES ON REVERSE  APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.	Date:		IIIDCE				
APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.							
APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION  4.  \[ \times \] Original judgment creditor  Assignee of record  Plaintiff who has a right to attach order applies for an order requiring (name): \text{Demas Yan} to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.  5.  \[ \text{The person to be examined is } \] a. \[ \times \] the judgment debtor. b. \[  \text{a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.  6.  \[ \text{The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination. 7. \[  \text{This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.750 or 708.160 is attached.  8. \[  \text{The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  Date: \[ \text{May}   \text{, 2017} \]  \[ \text{Mark A . Serlin} \]  (Continued on reverse)  Page 1 of 2							
4.							
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	(THE ONTRINT NAME)	(Continued on reverse)	,				

Form Adopted for Mandatory Use Judicial Council of California AT-138/EJ-125 [Rev. January 1, 2017] APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION (Attachment—Enforcement of Judgment)



Code of Civil Procedure, §§ 491.110, 708.110, 708.120, 708.170 www.courts.ca.gov

AT-138/EJ-125

### Information for Judgment Creditor Regarding Service

If you want to be able to ask the court to enforce the order on the judgment debtor or any third party, you must have a copy of the order personally served on the judgment debtor by a sheriff, marshal, registered process server, or the person appointed in item 3 of the order at least 10 calendar days before the date of the hearing, and have a proof of service filed with the court.

#### IMPORTANT NOTICES ABOUT THE ORDER

#### APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

#### APPEARANCE OF A THIRD PERSON (ENFORCEMENT OF JUDGMENT)

- (1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.
- (2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined under this order has possession or control of property that is yours or owes you a debt. This property or debt is as follows (describe the property or debt):

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

#### APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

# APPEARANCE OF A CORPORATION, PARTNERSHIP, ASSOCIATION, TRUST, OR OTHER ORGANIZATION

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.



**Request for Accommodations.** Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation* (form MC-410). (Civil Code, § 54.8.)